

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LANDSCAPE CONSULTANTS OF
TEXAS, INC., and METROPOLITAN
LANDSCAPE MANAGEMENT,
INC.,

Civil Action No. 4:23-cv-03516

Plaintiffs,

v.

CITY OF HOUSTON, TEXAS, and
MIDTOWN MANAGEMENT
DISTRICT,

Defendants.

Declaration of Gerald Thompson

I, Gerald Thompson, declare as follows:

1. The facts set forth in this declaration are based on my knowledge and, if called as a witness, I can competently testify to their truthfulness under oath. As to those matters that reflect a matter of opinion, they reflect my personal opinion and judgment upon the matter.

2. Since 2006, my wife and I have owned Landscape Consultants of Texas, Inc. (Landscape Consultants) and Metropolitan Landscape Management, Inc. (Metropolitan).

3. Landscape Consultants and Metropolitan are small, family-owned landscaping businesses that share approximately fifty employees.

4. Approximately 80-90 percent of Landscape Consultants and Metropolitan's annual revenue comes from winning local government landscaping contracts with entities like the City of Houston, Harris County, and Midtown Management District.

5. Neither Landscape Consultants nor Metropolitan qualify as a Minority or Woman-owned Business Enterprise under the City of Houston's Minority, Women, and Small Business Enterprise (MWSBE) Program.

6. It is my understanding and belief that the City of Houston's MWSBE Program puts non-MWBE companies like Landscape Consultants and Metropolitan at a disadvantage when bidding for City contracts by treating them differently because of the race of their owners.

7. Landscape Consultants and Metropolitan intend to bid for public contracts with the City of Houston in future and would like to do so free from the disadvantage created by the MWSBE Program's racial preferences.

* * *

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26th day of May, 2024, at Spring, Texas.



A handwritten signature in blue ink, appearing to read "Gerald Thompson".